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Smart 10/1a (E)
Sept. 4, 03
L. Ellis

Mr. Luke Gilligan
Commissioner of Patents & Trademarks
Technology Center
Art Unit 3626
Washington, DC. 20231

RE: Notice of Non-compliant Amendment- 09/ 578, 664

Dear Mr. Gilligan,

3/24/03

Thank you for your aid in clarifying the information you needed to sort through my claim changes.

Per our numerous discussions I have enclosed a copy of a "clean" version of the claims with no marking and as I wish the final claims to appear, as well as a "marked up" version of the claims showing all changes in with underlines and parenthesis.

Please note that I wish to cancel claims 3,7 and 8 and have marked them as such on both versions of the claims enclosed.

Please call me if you need any more information of clarifications.

Sincerely,

William Reeves, inventor



BEST AVAILABLE COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20503

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 11/25/02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 123 Fed. Reg. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☐ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☒ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☐ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation Claims 3, 7, and 8 cancelled without permission. Some matter added to claims was not identified. Applicant does not identify what was taken out of claims.

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO webs <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

☐ **PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this notice, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

L. Lewis
Legal Instruments Examiner (LIE)